

REMARKS

The Office Action of October 29, 2008 was received and carefully reviewed. Reconsideration and withdrawal of the currently pending rejections are requested for the reasons advanced in detail below.

Claims 1-25 were pending prior to the instant amendment with claims 19-25 being withdrawn from consideration. By this amendment, claims 1, 2, 5, 6, 9, 11, 13, 16 and 17 are amended, claims 19-25 are canceled without prejudice or disclaimer, and new claims 26-29 are added (see, for example, paragraph [0023] of the specification). No new matter has been introduced. Consequently, claims 1-18 and 26-29 are currently pending in the instant application with claims 1, 5, 9 and 13 being independent.

In the Office Action, the drawings are objected to under 37 C.F.R. 1.83(a). The drawings must show every feature of the invention specified in the claims. In response, Applicants have amended claims 9 and 13 to recite “etching the first semiconductor film using the source wiring and the drain wiring as masks.” (See, for example, FIGS. 5C, 5D, 7C and 7D at elements 222, 223, 322 and 323). Further, the specification is objected to as the title of the invention not being descriptive. In response, Applicants have amended the title as shown above. Therefore, Applicants respectfully request that the objections be removed.

Furthermore, claims 9-18 stand rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement. In response, Applicants have amended claims 9 and 13 to recite “etching the first semiconductor film using the source wiring and the drain wiring as masks.” (See, for example, paragraphs [0161] to [0163] and [0183] to [0185] of the specification and FIGS. 5C, 5D, 7C and 7D). These paragraphs are reproduced below:

[0161] The portion 221 that is irradiated with laser light by developing is removed to form a source wiring or a drain wiring 222, 223 (FIG. 5C).

[0162] Since the space between the source wiring and the drain wiring 222 or 223 is determined by laser irradiation, a practitioner can freely set the space. Setting freely the space between the source wiring and the drain wiring 222 or 223 is useful since the space determines the length (L) of a channel formation region.

[0163] The state illustrated in FIG. 5D is obtained by etching an n-type semiconductor film and a top layer portion of the semiconductor film using the source wiring or the drain wiring 222, 223 as masks. At this state, a channel etch TFT having a channel formation region 224, which serves as an active layer, a source region 226, and a drain region 225, is completed.

[0183] And then, developing is performed, and a portion that is not irradiated with the laser light is removed to form a source wiring or a drain wiring 322, 323 (FIG. 7C).

[0184] The space between the source wiring and the drain wiring 322 or 323 is determined by the width of the gate electrode.

[0185] The state illustrated in FIG. 7D is obtained by etching an n-type semiconductor film and a top layer portion of the semiconductor film using the source wiring or the drain wiring 322, 323 as masks. At this state, a channel etch TFT, which is provided with a channel formation region 324 that serves as an active layer, a source region 326, and a drain region 325 is completed.

Therefore, Applicants respectfully request that the 112 rejection be withdrawn.

Additionally, claims 1-8 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 7,365,805 to Maekawa et al. (Maekawa). Maekawa, however, has the same inventors as those of subject application. Therefore, Applicants contend that the 102 rejection should be withdrawn and respectfully request the same.

Further, claims 1-4 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over JP 2000-258921 to Ishikawa et al. (Ishikawa) in view of U.S. Pat. Pub. 2002/0012868 to Furuse et al. (Furuse) and claims 5-18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over JP 6-061257 to Asano (Asano) in view of Furuse and Ishikawa. Ishikawa, Furuse and Asano, however, fail to render the claimed invention unpatentable. Each of the

claims recite a specific combination of features that distinguishes the invention from the prior art in different ways. For example, independent claims 1, 5, 9 and 13, as amended, similarly recite a combination that includes, among other things:

forming a base layer comprising a photocatalyst material on an insulating surface of a substrate, wherein the photocatalyst material is selected from the group consisting of titanium oxide (TiO_X), strontium titanate (SrTiO₃), cadmium selenide (CdSe), potassium tantalate (KTaO₃), cadmium sulfide (CdS), zirconium oxide (ZrO₂), niobium oxide (Nb₂O₅), zinc oxide (ZnO), iron oxide (Fe₂O₃) and tungsten oxide (WO₃); forming a first conductive film pattern by discharging a conductive material containing a photosensitive material on the base layer by droplet discharging.

(See, for example, paragraphs [0020] to [0022] and [0082] to [0083] in the specification). At the very least, the applied references, whether taken alone or in combination, fail to disclose or suggest any of these exemplary features recited in independent claims 1, 5, 9 and 13.

The Examiner has failed to establish a *prima facie* case of obviousness for at least the following reasons. First, the Examiner has not demonstrated how Ishikawa, Furuse, and Asano, whether taken alone or in combination, disclose or suggest each and every feature recited in the claims. *See* M.P.E.P. § 2143 (7th ed. 1998). Second, the Examiner has not shown the existence of any reasonable probability of success in modifying Ishikawa and/or Asano, the base references, based on the teachings of Furuse, the secondary reference, in a manner that could somehow result in the claimed invention. *See id.*

Each of the Examiner's factual conclusions must be supported by "substantial evidence" in the documentary record, as required by the Federal Circuit. *See In re Lee*, 61 U.S.P.Q.2d 1430, 1435 (Fed. Cir. 2002). The Examiner has the burden of documenting all findings of fact necessary to support a conclusion of anticipation or obviousness "less the 'haze of so-called expertise' acquire insulation from accountability." *Id.* To satisfy this burden, the Examiner must specifically identify where support is found within the prior art to

meet the requirements of 35 U.S.C. §§ 102(b) and 103. In this case, however, the Examiner has failed to satisfy his burden of demonstrating how Ishikawa and/or Asano, taken alone or in combination with Furuse, can either anticipate or render obvious each and every one of the limitations present in independent claims 1, 5, 9 and 13, as required by the M.P.E.P. and Federal Circuit jurisprudence.

Neither Ishikawa, Furuse nor Asano teach or suggest the features of forming a base layer comprising a photocatalyst material on an insulating surface of a substrate, wherein the photocatalyst material is selected from the group consisting of titanium oxide (TiO_x), strontium titanate ($SrTiO_3$), cadmium selenide ($CdSe$), potassium tantalate ($KTaO_3$), cadmium sulfide (CdS), zirconium oxide (ZrO_2), niobium oxide (Nb_2O_5), zinc oxide (ZnO), iron oxide (Fe_2O_3) and tungsten oxide (WO_3); forming a first conductive film pattern by discharging a conductive material containing a photosensitive material on the base layer by droplet discharging, as presently claimed. The base layer comprising a photocatalyst material improves the adhesiveness between the substrate and the first conductive film pattern (see, for example, paragraphs [0020] and [0082] in the specification).

Further regarding claims 26-29, by doping a transition metal into a photocatalyst material, photocatalyst activity can be improved or photocatalyst activity can be yielded due to light in a visible light region (wavelength of 400 to 800 nm) (see, for example, paragraph [0023] in the specification).

In accordance with the M.P.E.P. § 2143.03, to establish a *prima facie* case of obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 409 F.2d 981, 180 USPQ 580 (CCPA 1974). “All words in a claim must be considered in judging the patentability of that claim against the prior art.” *In re Wilson*, 424 F.2d 1382, 1385, 165 USPQ 196 (CCPA 1970). Therefore, it is respectfully

submitted that neither Ishikawa, Furuse, nor Asano, taken alone or in any proper combination, discloses or suggests the subject matter as recited in claims 1, 5, 9 and 13. Hence, withdrawal of the rejection is respectfully requested.

Each of the dependent claims depend from one of independent claims 1, 5, 9 or 13 and are patentable over the cited prior art for at least the same reasons as set forth above with respect to claims 1, 5, 9 and 13.

In addition, each of the dependent claims also recite combinations that are separately patentable.

In view of the foregoing remarks, this claimed invention, as amended, is not anticipated or rendered obvious in view of the prior art references cited against this application. Applicants therefore request the entry of this response, the Examiner's reconsideration and reexamination of the application, and the timely allowance of the pending claims.

In discussing the specification, claims, and drawings in this response, it is to be understood that Applicants in no way intend to limit the scope of the claims to any exemplary embodiments described in the specification and/or shown in the drawings. Rather, Applicants are entitled to have the claims interpreted broadly, to the maximum extent permitted by statute, regulation, and applicable case law.

Should the Examiner believe that a telephone conference would expedite issuance of the application, the Examiner is respectfully invited to telephone the undersigned agent at (202) 585-8100.

Respectfully submitted,

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